

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:12-CV-00764

THE PANTRY, INC.,

Plaintiff,

v.

DOLCE BEVUTO, LLC,

Defendant.


**ORDER ENTERING DEFAULT
JUDGMENT**

THIS CAUSE came to be heard before the undersigned on April 17, 2013 on Plaintiff The Pantry Inc.'s Motion for Entry of Default Judgment against Defendant Dolce Bevuto, LLC ("Defendant"). Upon consideration of the pleadings, this motion, and the evidence attached thereto, this Court makes the following findings:

1. The summons and Complaint were properly served on Defendant on November 27, 2012.
2. The Clerk of Court, upon Plaintiff's motion, entered default against Defendant on January 31, 2013.
3. Defendant was obligated to pay Plaintiff \$92,325 in account shortages under a Funding Agreement.
4. Defendant breached the Funding Agreement on March 31, 2012.
5. Defendant's breach directly and proximately caused Plaintiff damage in the amount of \$92,325, and Defendant is liable for that amount.
6. Defendant is also liable for the costs of court in the amount of \$ 350.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Entry of Default Judgment is hereby granted, and DEFAULT JUDGMENT is hereby entered against Defendant Dolce Bevuto, LLC in the amount of \$92,325 plus court costs in the amount of \$ 350 and interest at the legal rate from March 31, 2012 until fully satisfied.

SO ORDERED. This 17 day of April 2013.


JAMES C. DEVER III
Chief United States District Judge